

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

ROBERT WASHINGTON,

Plaintiff,

v.

STEVEN M. YAPLEE,

Defendant.

Case No. 1:20-cv-01356-EPG (PC)

ORDER DIRECTING PLAINTIFF TO FILE A  
PRETRIAL STATEMENT THAT COMPLIES  
WITH LOCAL RULE 281(b)

THIRTY-DAY DEADLINE

ORDER DIRECTING CLERK TO SEND A  
COPY OF LOCAL RULE 281(b) TO  
PLAINTIFF

Robert Washington (“Plaintiff”) is a state prisoner proceeding *pro se* and *in forma pauperis* in this civil rights action filed pursuant to 42 U.S.C. § 1983.

On January 20, 2023, the Court issued a second scheduling order. (ECF No. 67). The Court also directed the Clerk of Court to send Plaintiff a copy of Local Rule 281(b) (which lists the information that should be included in a pretrial statement), and advised the parties that “failure to file pretrial statements as required by this order may result in the imposition of appropriate sanctions, which may include dismissal of the action or entry of default.” (Id. at 5).

On February 27, 2023, Plaintiff filed his pretrial statement. (ECF No. 76). While Plaintiff lists what he believes are the relevant facts and what he intends to show at trial, Plaintiff does not include any of the information required by Local Rule 281(b). Most importantly, Plaintiff does not provide a list of the witnesses he intends to call or the exhibits he intends to use at trial.

Therefore, the Court will direct Plaintiff to file a pretrial statement that complies with

1 Local Rule 281(b). The Court will also direct the Clerk of Court to send Plaintiff another copy of  
2 this local rule.

3 Accordingly, it is HEREBY ORDERED that:

4 1. Plaintiff has thirty days from the date of service of this order to file a pretrial statement  
5 that complies with Local Rule 281(b);  
6 2. The Clerk of Court is directed to send Plaintiff a copy of Local Rule 281(b); and  
7 3. Failure to file a pretrial statement that substantially complies with Local Rule 281(b)  
8 may result in the imposition of appropriate sanctions, up to and including dismissal or  
9 preclusion of evidence.

10 IT IS SO ORDERED.  
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12 Dated: February 28, 2023

13 /s/ *Eric P. Groj*  
14 UNITED STATES MAGISTRATE JUDGE

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